

dissenting) (“I agree with the majority that the District Court on remand should consider in the first instance whether the October 29 Memoranda complied with § 706 of the APA.”).

Following the Fifth Circuit’s remand to this Court “for further proceedings consistent with the Supreme Court’s decision,” ECF 144 at 2, Plaintiffs respectfully request that the Court grant this motion for leave to amend and order the Clerk of Court to file the Second Amended Complaint, attached hereto in accordance with Local Civil Rule 15.1(b). The exhibits to the Second Amended Complaint are attached as well.

Dated: August 8, 2022

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CERTIFICATE OF CONFERENCE

I certify that on August 8, 2022, I conferred with Defendants' counsel, who represented that Defendants do not oppose this motion.

/s/ Ryan D. Walters

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CERTIFICATE OF SERVICE

I certify that on August 8, 2022, a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) and served on all counsel of record.

/s/ Ryan D. Walters

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